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MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
PERMITTING AND ENFORCEMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
SIERRA HEARING ROOM
SACRAMENTO, CALIFORNIA

MONDAY, OCTOBER 3, 2005
10:00 A.M.

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Rosalie Mulé, Chairperson

Ms. Rosario Marin

Mr. Carl Washington

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Mr. Howard Levenson, Deputy Director

Mr. Michael Bledsoe, Staff Counsel

Ms. Dianne Ohiosumua

Ms. Bea Poroli

Ms. Virginia Rosales

ALSO PRESENT

Mr. Roger Vanhorn, Monterey County LEA

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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1 PROCEEDINGS

2 CHAIRPERSON MULÉ: Good morning, everyone.

3 Welcome to the October 3rd meeting of the Permitting and
4 Enforcement Committee.

5 We do have agendas on the back table. And if
6 anyone would like to speak to any of the items on the
7 agenda, we have a form for you to fill out. You could
8 bring it forward to Donnell, and she'll bring it up here.

9 And I'm going to ask everybody to either turn off
10 or put on silent mode your cell phones and pagers please.

11 And, Donnell, would you call the roll.

12 SECRETARY DUCLO: Board Members Marin?

13 COMMITTEE MEMBER MARIN: Here.

14 SECRETARY DUCLO: Washington?

15 COMMITTEE MEMBER WASHINGTON: Here.

16 SECRETARY DUCLO: Mulé?

17 CHAIRPERSON MULÉ: Here.

18 Thank you.

19 Members, do you have any ex partes?

20 COMMITTEE MEMBER WASHINGTON: I'm up to date.

21 CHAIRPERSON MULÉ: Chair Marin?

22 COMMITTEE MEMBER MARIN: I'm fine.

23 CHAIRPERSON MULÉ: You're up to date?

24 COMMITTEE MEMBER MARIN: I'm up to date.

25 CHAIRPERSON MULÉ: And I'm up to date as well.

1 Thank you.

2 Mr. Levenson, would you provide us with your
3 Deputy Director's Report.

4 DEPUTY DIRECTOR LEVENSON: Certainly, Madam
5 Chair. And Good morning Board members.

6 I have a lengthier than usual Deputy's report.
7 So if you'll bear with me through a few items.

8 First of all, I want to report to you that one of
9 our staff, Randy Friedlander, was exposed to the pesticide
10 methyl bromide during an inspection at the Buena Vista
11 landfill in Watsonville about a week ago. It was an
12 accidental release of the pesticide from an adjacent
13 strawberry field.

14 The Board serves as enforcement agency for that
15 jurisdiction -- for the County of Santa Cruz. And Randy
16 was performing his normal monthly inspections.

17 When we found out about the -- when he found out
18 about the release, the operator of the landfill
19 immediately closed the landfill and removed all personnel
20 from the area.

21 I flagged this obviously out of concern for Randy
22 but also to let you know that the attention that you as
23 Board members and that we in management pay to staff
24 health and safety issues is paying off. We do a lot of
25 work behind the scenes on worker safety and training.

1 And, you know, in this situation Randy and his supervisors
2 knew exactly how to act.

3 He did report that he experienced some
4 irritation, some slight burning in his eyes. But he's
5 feeling fine right now.

6 And as a follow-up we've been coordinating with
7 the county ag commissioner's physician and UC Davis Med
8 Center to make sure that there's blood work taken. And we
9 haven't gotten the results back, but we don't anticipate
10 any further problems. But this is just -- it's a hazard
11 of being out in the field inspecting. And, fortunately,
12 it looks like in this case everything is going to be fine.

13 I want to also mention -- you may be aware that
14 last week on September 27th Nathan Parker from the
15 Hydrogen Pathways Program of the Institute for
16 Transportation Studies at UC Davis was the featured
17 speaker at Dr. Lloyd's monthly seminar series. His talk
18 was pretty interesting. It was on the potential to
19 produce hydrogen from biomass via technologies such as
20 gasification, pyrolysis, gas reformation and fermentation.

21 This is obviously very timely in light of the
22 Board's ongoing conversion technology work. And it also
23 meshes with an interagency agreement that we now have in
24 place with UC Davis to further explore hydrogen production
25 from landfill gas. That was just signed recently, and in

1 fact the kickoff meeting between staff and UC Davis for
2 that contract is tomorrow morning at UC Davis.

3 I'd like to give you two updates on regulatory
4 packages.

5 First of all, I think you're all aware now that
6 the DRS regs that the Board has worked on for so long have
7 been approved by OAL and will be effective on January 1st
8 of 2006.

9 I mention this because one aspect of the regs --
10 of those regulations involved landfill operator reporting
11 requirements to both BOE and the DRS system regarding
12 tonnages in parts so that we could begin calculating
13 quarterly updates regarding remaining landfill capacity.

14 So it will take some time to implement the system
15 so that we can report to you on quarterly landfill
16 capacity. But we're starting to work on that with our
17 Information Management Branch, and hopefully we'll have
18 that to you, you know, in the next several months.

19 Then I'd like to give you an update on the permit
20 implementation regulations pursuant to both AB 1497 and
21 associated board direction. We held a workshop on this on
22 October -- on August 22nd on informal draft regulations.
23 We had about 20 people attending here in Sacramento. We
24 had teleconferencing at four sites around the state: San
25 Diego, Riverside, Long Beach and San Jose. And we had a

1 live audio connection.

2 By the September 9th deadline of the informal
3 comment period we'd received written comments from five
4 LEAs, four operators and one enforcement agency staffer.
5 And these have all been posted on our website, which is
6 publicly accessible.

7 In general, the regulated community commented
8 that the proposed regulations don't address the intent of
9 AB 1497 because they don't define "significant change" and
10 they go beyond the AB 1497 mandates by requiring
11 informational meetings for new permits, not just for
12 revised permits, and that every change would be subject to
13 the 180-day process, not just significant changes.

14 Really there were two primary key issues that the
15 comments addressed. The first issue is the significant
16 change in modified permit process. And as I noted, we had
17 not defined "significant change" explicitly. So we are
18 planning to go beyond the decision tree that is in the
19 informal regulations and add a specific definition of
20 "significant change" into the next version of the draft
21 regs.

22 There are some other changes we'll make in
23 response to some of the other comments on that.

24 The definition of -- I do want to point out that
25 the definition of "significance" should be rooted in CEQA.

1 And staff is considering how to clarify that CEQA is
2 incorporated into the determination for a permit revision,
3 along with concerns about public health, safety and
4 compliance with state minimum standards. So there's still
5 some work to be done on significant change and the
6 relationship between the permit revision and that
7 definition and CEQA.

8 We also -- the second major issue was public
9 noticing and hearing requirements. And there were
10 comments that the noticing requirements for RFI amendments
11 are unnecessary. But it's our belief right now that the
12 increased notice for changes in solid waste facilities is
13 generally consistent with AB 1497. So we will continue to
14 work on that with stakeholders.

15 I will be providing a memo to you probably this
16 week with laying this all out in more detail so that you
17 know, you know, what the stakeholders have said in more
18 detail and what our initial response is. That memo will
19 be made available to everyone, not just Board members. It
20 will be a public document. We'll continue to meet
21 informally with stakeholders as needed. And then we
22 intend to bring an item back to the P&E Committee next
23 month with the draft regulations and seeking your
24 direction to go after 45-day comment.

25 So an awful lot of work going on behind the

1 scenes with staff and stakeholders. There's been a lot of
2 good dialog on that, but we still have some things to work
3 out.

4 Lastly, I'll just mention a couple of -- one
5 meeting that happened in the past and a couple things
6 coming up. As you know, Chair Mulé, Executive Director
7 Leary and I went to the CCDEH Conference near Yosemite.
8 We didn't get in to Yosemite. We were too busy.

9 That was an extremely successful conference. And
10 I think -- one thing I want to note is the Board was
11 lauded in many different instances for its openness and
12 transparency and for its ability to engage our regulatory
13 partners in the various issues and through many different
14 venues, including your outreach at different conferences
15 and meetings, our attending roundtables and EAC meetings
16 and so on. And it was in marked contrast to the
17 sentiments expressed about some other agencies that I
18 won't name at this point.

19 Two things to note that are coming up. On
20 October 24th we have a working group. It's not really a
21 workshop. It is just a working group meeting on
22 post-closure maintenance technical issues. It's certainly
23 open to anyone, but it's really designed to get folks
24 around the table and talk about what needs to be done
25 next.

1 And then in November we have three meetings on
2 fire follow-ups with the State Fire Marshal: The 2nd in
3 Fresno, the 9th in Marysville, and the 29th in Irvine.

4 So there's a lot of things on the docket. More
5 things that I haven't talked about today, but that's
6 plenty for now.

7 CHAIRPERSON MULÉ: Good. Well, thank you very
8 much, Howard, for that report.

9 And I just want to comment on a couple of things.
10 First of all, I've been to a number of the meetings on AB
11 1497, and I just want to commend our staff for the work
12 that they're doing on that. It's a very, very important
13 set of regs that we're developing, and we appreciate -- I
14 appreciate the work that staff's doing. But also I do
15 appreciate the input that we are getting from the
16 stakeholders. It really is -- it is a model process that
17 I hope we can duplicate when we pursue other regulations.

18 And also on the CCDEH conference, yes, we were
19 commented in a positive manner. They really do appreciate
20 the cooperative working relationship that we do have to
21 the extent that we can have that. And I had the
22 opportunity to talk to a number of the directors of
23 environmental health. And, again, they really appreciate
24 the work that our staff does on the number of issues that
25 we all work on together. So I just wanted to make those

1 comments.

2 Let's just move forward now to Item B, Agenda
3 Item 17.

4 Howard.

5 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
6 Chair.

7 This is consideration of a New Full Solid Waste
8 Facilities Permit for a Compostable Materials Handling
9 Facility for the Westlake Farms Biosolids Composting
10 Facility in Kings County.

11 Virginia Rosales will make this presentation.
12 And we will -- she will be speaking for the record about
13 the statement of overriding considerations to make sure
14 that that is on our public record.

15 MS. ROSALES: Thank you. Good morning, Madam
16 Chair, Committee members.

17 I think that's okay now.

18 The proposed Westlake Farms Biosolids Composting
19 Facility is owned by Los Angeles County Sanitation
20 Districts. The proposed facility is scheduled to commence
21 operations after permit issuance and will be operated by
22 the districts.

23 The proposed project consists of the following:

24 The permitted area will be 1,000 total acres, of which
25 177.3 acres will be used for composting. The facility may

1 accept up to 1,369 average wet tons per day of biosolids
2 not to exceed 500,000 total wet tons per year, and 1,095
3 average wet tons per day combined green material and other
4 bulky material not to exceed 400,000 total wet tons per
5 year.

6 The facility may operate 24 hours per day, 365
7 days per year. The permitted traffic volume is 125
8 average vehicles per day for feedstock delivery and
9 finished product removal.

10 Kings County acting as the lead agency prepared
11 an environmental impact report. The EIR identified
12 significant and unavoidable environmental impacts to air
13 quality traffic congestion, thereby requiring a statement
14 of overriding considerations.

15 The Kings County Board of Supervisors found that
16 the unavoidable significant affects are acceptable due to
17 the overriding considerations which are listed in
18 Attachment 4 of the agenda item.

19 The overriding considerations indicated that the
20 project will provide for the reduction in agricultural
21 burning of agriculture residues that would be used by the
22 facility, will improve air quality in the San Joaquin
23 Valley Air Basin, the preservation and promotion of
24 sustainable agriculture in the county, the preservation of
25 open space area, the improvement of characteristics of

1 soil for agricultural purposes, needed economic
2 development for the county. And the project is consistent
3 with the county's general plan policies regarding
4 agriculture and the overall reduction of energy
5 consumption needed to farm 12,000 acres of Westlake Farms
6 land.

7 The environmental impact report was certified and
8 the statement overriding considerations in the mitigation
9 monitoring report program were adopted by Kings County
10 Board of Supervisors on April 20th, 2004. A Notice of
11 Determination was filed with the Office of Planning and
12 Research on April 21st, 2004. The Notice of Determination
13 indicated that the project would have a significant'
14 effect on the environment, and that a statement of
15 overriding considerations is adopted for the project.

16 Board staff have determined that all the
17 requirements for the proposed permit have been fulfilled
18 and finds the EIR along with the statement of overriding
19 considerations and the mitigation monitoring plan are
20 adequate for the Board's environmental evaluation of the
21 proposed project. Therefore, staff -- Board staff
22 recommends the Board adopt Resolution No. 2005-278
23 concurring with the issuance of Solid Waste Facilities
24 Permit No. 16-AA-0026 if the Board adopts the lead
25 agency's statement of overriding considerations as its

1 own. However, the Board does have the option of
2 developing its own alternative statement of overriding
3 consideration.

4 This concludes staff's presentation.

5 Lee Johnson, representing the Kings County LEA;
6 George Saverage, representing the operator; and Sandy
7 Roper, representing the Kings County Planning Department,
8 are all here and available to answer questions.

9 CHAIRPERSON MULÉ: Thank you, Virginia.

10 We do not have any speaker slips.

11 So do we have any questions?

12 Board Chair.

13 COMMITTEE MEMBER MARIN: Actually I have one for
14 Legal.

15 I understand that there is a challenge to the EIR
16 pending. We do not have -- we don't have anything but
17 actually -- how can I say it? We would have no grounds to
18 deny this based on the fact that there is a challenge to
19 the EIR, correct?

20 STAFF COUNSEL BLEDSOE: That's correct.

21 COMMITTEE MEMBER MARIN: Those are not grounds
22 for us to reject?

23 STAFF COUNSEL BLEDSOE: Correct, yes.

24 Michael Bledsoe from the Legal Office.

25 When litigation is pending against a sued, a

1 responsible agency has to proceed as if the environmental
2 document is adequate until a court finally decides
3 otherwise.

4 COMMITTEE MEMBER MARIN: Now, what would be --
5 let's just -- for the sake of argument, let's just say
6 that they find that in fact the EIR was inadequate. Do we
7 have then at that point in time any recourse to do
8 anything with this? I just want to make sure that we're
9 on safe ground here.

10 STAFF COUNSEL BLEDSOE: Is the Court's decision
11 before or after the Board concurs in the permit?

12 COMMITTEE MEMBER MARIN: Well, we have to deal
13 with this issue today.

14 STAFF COUNSEL BLEDSOE: Right. I mean if it's
15 after, and the operator -- let's just say the operator
16 went ahead and started construction, then the Court
17 determines that the EIR is inadequate. The project would
18 stop, additional environmental work would be done. The
19 operator might have to restore the land to its original
20 condition in certain cases.

21 If the Court made its determination before the
22 Board acted on the project, then of course, you know, we
23 would know that there was an inadequate environmental
24 document and we would not be able to act on the project.

25 COMMITTEE MEMBER MARIN: Right, right.

1 Okay. I just want to make sure. I mean I
2 know -- but for the record so that people know. There are
3 no bases for us to reject this, even if there is a case
4 pending against the project?

5 STAFF COUNSEL BLEDSOE: Correct. The fact that a
6 challenge is being considered by a court of the
7 environmental document is not grounds for a responsible
8 agency to deny a project.

9 COMMITTEE MEMBER WASHINGTON: Michael, could the
10 Board then hold off until the Court's finding?

11 STAFF COUNSEL BLEDSOE: No, sir. We are required
12 to continue on our normal, in our case, 60-day schedule.
13 So we have to proceed as if the environmental document
14 were adequate.

15 COMMITTEE MEMBER WASHINGTON: Okay. Because
16 within that 60-day -- yeah.

17 STAFF COUNSEL BLEDSOE: Yes.

18 COMMITTEE MEMBER WASHINGTON: Okay.

19 COMMITTEE MEMBER MARIN: Yeah, we would have to
20 deny it.

21 COMMITTEE MEMBER WASHINGTON: All right. Yeah,
22 yeah.

23 Okay. Also, who is the third appeal from? Do we
24 know, Virginia?

25 MS. ROSALES: Yes.

1 COMMITTEE MEMBER WASHINGTON: You said there was
2 three appeals.

3 MS. ROSALES: There was the Center for Race,
4 Property and the Environment --

5 COMMITTEE MEMBER WASHINGTON: -- Valley
6 Advocates.

7 MS. ROSALES: -- Valley Advocates, and -- I'm
8 drawing a blank, and I'm going to have to see if Sandy can
9 recall that.

10 Franklin Tract Land Owners.

11 COMMITTEE MEMBER WASHINGTON: So those are
12 residents -- sound like residents in the -- you said
13 Franklin Tract?

14 MS. ROSALES: Yeah, Franklin Tract Land Owners.

15 COMMITTEE MEMBER WASHINGTON: Okay. And then I
16 guess for the -- has the county banned Class B biosolids?
17 Do we know if they've banned the use of bio -- Class B?

18 DEPUTY DIRECTOR LEVENSON: I'm not aware of any
19 bans from Kings County on land application of Class B
20 biosolids.

21 COMMITTEE MEMBER WASHINGTON: Okay. Thank you.

22 CHAIRPERSON MULÉ: Okay. Are there any other
23 questions for staff?

24 COMMITTEE MEMBER MARIN: How does this put us --
25 I know that at least the assembly member from another area

1 has questioned the movement of one county into another.

2 But this particular, and how I see it, the L.A. County

3 Sanitation District is the one that owns this property.

4 CHAIRPERSON MULÉ: They own it. My understanding

5 is they own it. They lease it back to the operator of --

6 what's it, Westlake? -- they lease it back to them to

7 operate it --

8 MS. ROSALES: That's correct.

9 CHAIRPERSON MULÉ: -- is that correct?

10 MS. ROSALES: Yes.

11 COMMITTEE MEMBER MARIN: So have we heard

12 concerns from the assembly member that's -- that's from --

13 is it a contiguous area or right next to the area?

14 DEPUTY DIRECTOR LEVENSON: Yeah, he represents

15 Senator Flores and he represents, let's see, Kings,

16 Tulare, Fresno and Kern, I believe. So it includes this

17 area. And he did -- we actually -- he was the featured

18 speaker at the directors conference that we attended a

19 couple weeks ago. And he did bring up the issue in

20 general of the movement in biosolids. But it was -- he

21 indicated that there's an awful lot of work still to be

22 done. You know, he's sponsored some legislation. There's

23 an ordinance in Kern County on the ballot in November.

24 And there's additional discussions going on about this

25 whole issue in general, particularly about land

1 application of biosolids. In this case we are looking at
2 composting of biosolids and then eventual use of that as a
3 soil amendment, in this case in land that would be owned
4 by the county sand districts.

5 CHAIRPERSON MULÉ: And didn't he say, Howard,
6 though that he supported the use of biosolids in
7 composting? I mean generally, but again there needed to
8 be more work done on that. You know, he understands that,
9 you know, we have to do something with it, but --

10 DEPUTY DIRECTOR LEVENSON: I think -- Yeah, it's
11 safe to -- he understood the distinction between land
12 application of biosolids coming directly from a waste
13 water treatment plant versus use of composted biosolids in
14 different settings.

15 COMMITTEE MEMBER WASHINGTON: He definitely wants
16 to shut down cold composting. That's what he called it,
17 cold composting. His bill would literally shut down cold
18 composting. And that's what Madam Chair was just talking
19 about, the county to county, he don't want any of that
20 stuff going on. He kind of sees it as wishy-washy.

21 COMMITTEE MEMBER MARIN: Yeah. I think you know
22 what we need to do is go in and also sit down and talk to
23 the assembly member, just understand -- I mean I'm sure
24 he's pretty knowledgeable on this stuff. But I think that
25 he needs to -- we need to let him know what the challenges

1 from our perspective are.

2 CHAIRPERSON MULÉ: Madam Chair, as a matter of
3 fact I did offer our assistance. Following the luncheon I
4 went up to the assembly member and just pledged that we
5 would --

6 COMMITTEE MEMBER WASHINGTON: He's senator.

7 CHAIRPERSON MULÉ: Senator. Sorry. Senator
8 Flores. And just told him that we wanted very much to
9 work with him and his office on this issue.

10 COMMITTEE MEMBER MARIN: Okay. Well,
11 fundamentally I have no problems with this particular --
12 and I see the differences and I also see the difference
13 from some of the items that he has raised, you know, and
14 the fact that the county owns this particular land. So I
15 have no problem. I just wanted to make sure that for the
16 record we state that we had no reason to deny, even in
17 light of the objections.

18 CHAIRPERSON MULÉ: Right.

19 Do we have a motion then?

20 COMMITTEE MEMBER MARIN: I so move -- let's
21 see -- 2005-278.

22 COMMITTEE MEMBER WASHINGTON: Second.

23 CHAIRPERSON MULÉ: We have a motion by Board
24 Chair Marin and seconded by Board Member Washington.

25 Donnell, call the roll please.

1 SECRETARY DUCLO: Marin?

2 COMMITTEE MEMBER MARIN: Aye.

3 SECRETARY DUCLO: Washington?

4 COMMITTEE MEMBER WASHINGTON: Aye.

5 SECRETARY DUCLO: Mulé?

6 CHAIRPERSON MULÉ: Aye.

7 That's moved. And we can put that on consent for
8 the Board.

9 Our next item is Agenda Item 18.

10 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
11 Chair.

12 And I appreciate that discussion. It was
13 important to have that on the record.

14 Item B for the Committee, Item 17 for the Board
15 is consideration of a New Full Solid -- I'm sorry -- Item
16 18, Item C.

17 CHAIRPERSON MULÉ: Item C.

18 DEPUTY DIRECTOR LEVENSON: Yeah. Going backwards
19 here.

20 Consideration of a New Full Solid Waste
21 Facilities Permit for the Sun Street Transfer Station in
22 Monterey County.

23 And Bea Poroli will provide this presentation.

24 MS. POROLI: Good morning.

25 The proposed new permit is to allow the

1 following: Operate a large volume transfer processing
2 facility, increase the maximum daily tonnage, increase the
3 maximum traffic volume.

4 On November 21st, 2003, a public hearing was held
5 at the Salinas Valley Solid Waste Authority Board meeting
6 to adopt the environmental document. Also as a condition
7 of the permit the operate is required to implement the
8 following mitigating measures within six months of the
9 issuance of the permit:

10 1) The operator shall contribute their fair share
11 to add a turn signal at the intersection of East Market
12 Street and Merced Street off of Highway 101 offramp;

13 2) Consider prohibiting left turn movements at
14 the East Market and Sun Street intersection and
15 prohibiting through movements on Sun Street and the East
16 Market and Sun Street intersection; and

17 3) The size of the transfer trucks assessing the
18 site shall be limited to trucks that can adequately turn
19 within the existing geometry at the East Market Street and
20 Griffin Street intersection.

21 As indicated on page 18-3 of the agenda item,
22 Board staff have determined that all of the requirements
23 have been met.

24 In conclusion, staff recommends that the Board
25 adopt Solid Waste Facility Permit Decision No. 2005-279,

1 concurrent in the issuance of Solid Waste Facility Permit
2 No. 27-AA-0110.

3 The LEA and the operator are present to answer
4 any questions you may have.

5 This concludes staff's presentation.

6 CHAIRPERSON MULÉ: Thank you very much.

7 I do not see any speaker slips.

8 Do we have any questions?

9 Board Chair Marin.

10 COMMITTEE MEMBER MARIN: No, I'm trying to get --
11 sorry -- I'm trying to get -- what are the changes in the
12 hours of operation? Are there any changes in the hours of
13 operation? None?

14 MS. POROLI: No.

15 COMMITTEE MEMBER MARIN: Okay, great. That's
16 fine.

17 CHAIRPERSON MULÉ: Board Member Washington, any
18 questions --

19 COMMITTEE MEMBER WASHINGTON: I'd like to move
20 adoption of Resolution 2005-279.

21 COMMITTEE MEMBER MARIN: Second.

22 CHAIRPERSON MULÉ: We have a motion by Board
23 Member Washington, second by Chair Marin.

24 And we can substitute the previous roll.

25 And we can put this on consent as well.

1 Thank you.

2 Our next item is Committee --

3 COMMITTEE MEMBER MARIN: Madam Chair, that means
4 that the current SWANA director from Monterey doesn't have
5 to come to this Board meeting next time, doesn't have to
6 brave the weather.

7 CHAIRPERSON MULÉ: No, he doesn't -- it's an
8 inside joke. That's okay.

9 Just remember paybacks.

10 Our next item is Committee Item D, Board Item 19.
11 Howard.

12 DEPUTY DIRECTOR LEVENSON: Well, this is also
13 from Monterey County. So there's probably more
14 opportunities for --

15 (Laughter.)

16 DEPUTY DIRECTOR LEVENSON: This is consideration
17 of a Revised Full Solid Waste Facilities Permit for the
18 Salinas Disposal Transfer Station and Recycling center in
19 Monterey County.

20 And Bea will again make the presentation for this
21 item.

22 MS. POROLI: The proposed revised permit is to
23 allow the following: Expand the operation area and
24 establish operating limits by delineating specific daily
25 and maximums for traffic and tonnage that can be accepted

1 at the facility.

2 As indicated on page 19-3 of the agenda item,
3 Board staff have determined that all of the requirements
4 have been met.

5 In conclusion, staff recommends that the Board
6 adopt Solid Waste Facility Permit Decision 2005-280,
7 concurring in the issuance of Solid Waste Facility Permit
8 No. 27-AA-0053.

9 The LEA and operator are present to answer any
10 questions you may have.

11 This concludes staff's presentation.

12 CHAIRPERSON MULÉ: Thank you, Bea.

13 We have no speaker slips.

14 Do we have any questions?

15 COMMITTEE MEMBER WASHINGTON: Yes. Is the LEA
16 here?

17 MR. VANHORN: Yes, sir.

18 COMMITTEE MEMBER WASHINGTON: I have a question
19 for you.

20 This is the first permit since I came to this
21 Board in 2002 that you had a public hearing with 40 people
22 there. I want to know what the success was in getting 40
23 people to come to a public hearing.

24 MR. VANHORN: That's a good question.

25 COMMITTEE MEMBER MARIN: They were all opposing

1 it.

2 I'm kidding.

3 MR. VANHORN: My name is Roger Vanhorn, LEA from
4 Monterey County.

5 There was quite a few concerns at that time
6 because the operator was initially talking about expanding
7 the operation and having more traffic come in. About that
8 same time Sun Street was getting ready to start opening up
9 the other transfers station that we now have in Salinas.

10 So that a lot of the traffic that was going to
11 the Madison Street or the Salinas Transfer Station was
12 then directed over to the Sun Street. So they had a
13 maximum of trucks going in to Salinas at about, oh, 150
14 plus trucks a day, self-hauls and otherwise. So a large
15 part of that was diverted.

16 And then on their new permit for Salinas we did a
17 maximum of 300 tons and then the traffic also.

18 Another concern that they had, the group that was
19 there was the school, which was fairly close to the
20 operation --

21 COMMITTEE MEMBER WASHINGTON: Boronda School?

22 MR. VANHORN: Boronda School.

23 COMMITTEE MEMBER WASHINGTON: Boronda School.

24 MR. VANHORN: -- that school has since closed.
25 They opened up another school further away. So -- and

1 then that traffic that was going in there and actually
2 going by the school, it doesn't happen anymore because the
3 school has closed.

4 COMMITTEE MEMBER WASHINGTON: Okay. Oh, so it
5 was an overlapping of things occurring at the same time --

6 MR. VANHORN: Right.

7 COMMITTEE MEMBER WASHINGTON: -- where they
8 wanted to make sure everything was happening
9 appropriately?

10 MR. VANHORN: Right, yes.

11 COMMITTEE MEMBER WASHINGTON: Oh, okay.

12 MR. VANHORN: They were worried about --

13 COMMITTEE MEMBER WASHINGTON: Man, I thought you
14 had some secret to this.

15 MR. VANHORN: No, it was a very good meeting.

16 COMMITTEE MEMBER WASHINGTON: Good.

17 All right. I appreciate that. Thank you very
18 much.

19 MR. VANHORN: Thank you.

20 CHAIRPERSON MULÉ: Board Chair.

21 COMMITTEE MEMBER MARIN: I just have a question.

22 Regarding the 34 permit violations that this
23 facility had, would this permit eliminate that? I mean
24 they were technical. It wasn't really --

25 MS. POROLI: Yes, this permit will correct that.

1 COMMITTEE MEMBER MARIN: So this will correct
2 that?

3 MS. POROLI: Yes.

4 COMMITTEE MEMBER MARIN: Okay.

5 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
6 like to move adoption of Resolution 2005-280.

7 COMMITTEE MEMBER MARIN: Second.

8 CHAIRPERSON MULÉ: Okay. We have a motion, Board
9 Member Washington, seconded by Chair Marin.

10 We'll substitute the previous roll and we will
11 put this one on consent as well.

12 Our final item for this morning's meeting is
13 Committee Item E, Board No. 20.

14 Howard.

15 DEPUTY DIRECTOR LEVENSON: Thank you.

16 While Dianne Ohiosumua comes up to make the
17 presentation, this item is consideration of a Revised Full
18 Solid Waste Facilities Permit for the MarBorg C&D
19 Recycling and Transfer Facility in Santa Barbara County.

20 And Dianne will give that presentation.

21 MS. OHIOSUMUA: Good morning.

22 The proposed permit will allow --

23 COMMITTEE MEMBER WASHINGTON: Get your mike,
24 Dianne.

25 Yeah, bring it to you.

1 There you go.

2 MS. OHIOSUMUA: Good morning.

3 The proposed permit will allow the facility to
4 add a green material processing operation, to update the
5 transfer processing report, to make minor changes to the
6 language in the proposed solid waste facility permit, to
7 discontinue paper bailing and small fraction inert sorting
8 activities.

9 Please note that Attachment 3 was recently
10 revised and is available at the back of the room.

11 There were also two minor corrections on page
12 20-1 under the History section, No. 2.

13 In 2003 there were no permit violations. And in
14 2005 we looked at the inspection reports from January to
15 August. Before it was just January through July.

16 Board staff has made all the required -- oh, the
17 other thing I should let you know is that these changes
18 will be reflected in BAWDS prior to the Board meeting.

19 Board staff had made all the required findings.

20 Board staff recommends that the Board adopt Solid
21 Waste Facility Permit Decision No. 2005-281, concurring
22 with the issuance of Solid Waste Facility Permit No.
23 42-AA-0066.

24 Representatives from the San Bernardino -- Santa
25 Barbara County LEA and the operator are here to answer

1 your questions.

2 And that concludes staff's presentation.

3 CHAIRPERSON MULÉ: Okay. Thank you very much.

4 MS. OHIOSUMUA: Thank you.

5 CHAIRPERSON MULÉ: Do we have any questions?

6 COMMITTEE MEMBER MARIN: I don't. Believe it or
7 not, I don't have any.

8 CHAIRPERSON MULÉ: No questions. Wow.

9 Well, I just want to mention I was at this
10 facility while it was still under construction just under
11 a year ago. And it's pretty -- it's a fully enclosed
12 facility. It's a rather large facility. I think it's two
13 acres or so. But it's definitely -- it's definitely a
14 well constructed facility, and so I don't see any problem
15 with this.

16 So do I hear a motion?

17 COMMITTEE MEMBER MARIN: Move approval of
18 Resolution 2005-281.

19 COMMITTEE MEMBER WASHINGTON: Second.

20 CHAIRPERSON MULÉ: We have a motion by Chair
21 Marin and seconded by Board Member Washington.

22 We can substitute the previous roll. And we will
23 put this item on the consent agenda as well.

24 Thank you very much.

25 Do we have any comments from the public?

1 COMMITTEE MEMBER MARIN: I think I need to go to
2 the farm. I need to deal with some chickens.

3 (Laughter.)

4 CHAIRPERSON MULÉ: Hearing none, this meeting is
5 adjourned.

6 (Thereupon the California Integrated Waste
7 Management Board, Permitting and Enforcement
8 Committee meeting adjourned at 10:40 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board,
7 Permitting and Enforcement Committee meeting was reported
8 in shorthand by me, James F. Peters, a Certified Shorthand
9 Reporter of the State of California, and thereafter
10 transcribed into typewriting.

11 I further certify that I am not of counsel or
12 attorney for any of the parties to said workshop nor in
13 any way interested in the outcome of said workshop.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 12th day of October, 2005.

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23 JAMES F. PETERS, CSR, RPR
24 Certified Shorthand Reporter
25 License No. 10063